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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,011	07/31/2001	Michael S. Allison	10018222-1	3865

7590            01/26/2005

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[REDACTED] EXAMINER

PARTHASARATHY, PRAMILA

ART UNIT	PAPER NUMBER
	2136

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/919,011	ALLISON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Pramila Parthasarathy	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 January 2002.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-21 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. This action is in response to the communication filed on January 08, 2002.

Claims 1 – 21 were received for consideration. No preliminary amendments to the specification were filed. Claims 1 – 21 are currently being considered.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 – 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Chaiken (U.S. Patent Number 6,715,074).

Regarding Claim 1, Chaiken teaches and describes a system for generating a ROM image comprising at least one data image build (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line 46), the system comprising:

an image identifier configured to process an input file to identify at least one data

image for a ROM image build and to generate a token file comprising at least one token for the data image (Column 4 lines 19 – 24 and Column 5 lines 9 – 64);

a data image builder configured to process the data image with its associated token file to create the data image build (Column 4 lines 19 – 53 and Column 6 lines 11 – 16); and

a ROM image builder configured to generate a data image build validating signature, to write the data image build and the data image build validating signature to the ROM image, and to generate a ROM image validating signature (Column 5 line 40 – Column 6 line 16).

Regarding Claim 6, Chaiken teaches and describes a system for generating a ROM image comprising at least one data image build (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line 46), the system comprising:

at least one image identifier configured to process an input file to generate a token file and a temporary token file, the token file and the temporary token file each representing tokens for each data image identified in the input file (Column 4 lines 19 – 24 and Column 5 lines 9 – 64); and

a ROM image builder configured to compare the token file with the temporary token file and, if the same, to generate a data image validating signature for each data image, to write each data image and each data image validating signature to the ROM image, and, thereafter, to generate a separate ROM image validating signature for the ROM image (Column 4 lines 19 – 24 and Column 5 line 40 – Column 6 line 16).

Regarding Claim 18, Chaiken teaches and describes a system for generating a ROM image using inputs from an input file (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line 46) comprising:

a memory configured to store the ROM image (Column 4 lines 10 – 24);  
a ROM image generator configured to identify a plurality of data images to be placed in the ROM image based upon the inputs from the input file, to generate a data image validating signature for each data image with each associated input, to write each data image and data image validating signature to a starting address of the ROM image, at least one starting address being dynamically allocated, and, thereafter, to generate a ROM image validating signature for the ROM image (Column 4 lines 19 – 24 and Column 5 line 40 – Column 6 line 16); and  
a processor configured to process the ROM image generator and to transmit data images with data image validating signatures and the ROM image validating signature to the memory for storage as the ROM image (Column 5 lines 47 – 64 and Column 6 lines 24 – 35).

Claims 2, 8 and 19 are rejected applied as above in rejecting Claims 1, 6 and 18. Furthermore, Chaiken teaches and describes a system for generating a ROM image comprising at least one data image build (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line 46), wherein the ROM image generator is configured to align at least one of the data images using a fill pattern and an alignment value prior to generating the data image validating signature for the at least one data image.

Claims 3 and 9 are rejected applied as above in rejecting Claims 1 and 6.

Furthermore, Chaiken teaches and describes a system for generating a ROM image comprising at least one data image build (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line 46), wherein the ROM image builder is configured to dynamically assign a starting address in the ROM image to the data image (Column 5 lines 8 – 35).

Claims 4, 10 and 20 are rejected applied as above in rejecting Claim 1 and 6.

Furthermore, Chaiken teaches and describes a system for generating a ROM image comprising at least one data image build (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line 46), wherein a first data image is assigned a first memory location in the ROM image and wherein the ROM image builder is configured to dynamically reassign the first memory location to a second data image and to assign a new memory location to the first data image (Column 5 lines 8 – 35 and Column 6 lines 19 – 37).

Claim 5 is rejected applied as above in rejecting Claim 1. Furthermore, Chaiken teaches and describes a system for generating a ROM image comprising at least one data image build (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line 46), wherein the data image validating signature comprises at least one member of a group consisting of a checksum and a cyclic redundancy check (Column 4 lines 40 – 57).

Claim 7 is rejected applied as above in rejecting Claim 6. Furthermore, Chaiken teaches and describes a system for generating a ROM image comprising at least one

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data image build (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line 46), wherein the at least one image identifier comprises a first image identifier configured to generate the token file and a second image identifier configured to generate the temporary token file (Column 4 lines 19 – 24 and Column 5 lines 8 – 35).

Claim 11 is rejected applied as above in rejecting Claim 6. Furthermore, Chaiken teaches and describes a system for generating a ROM image comprising at least one data image build (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line 46), wherein the ROM image builder is configured to mask at least one data image validating signature (Column 4 lines 19 – 54).

Claim 12 is rejected applied as above in rejecting Claim 6. Furthermore, Chaiken teaches and describes a system for generating a ROM image comprising at least one data image build (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line 46), wherein the ROM image builder comprises a data image parameter processor configured to loop through each data image to compute a size of each data image, to align each data image, if necessary, and to generate a validating signature for each data image (Column 4 lines 19 – 30 and Column 5 lines 1 – 3).

Claim 13 is rejected applied as above in rejecting Claim 6. Furthermore, Chaiken teaches and describes a system for generating a ROM image comprising at least one data image build (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line 46),

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wherein the ROM image builder comprises an address conflict check processor configured to loop through each data image to determine if each data image conflicts with at least one member of a group consisting of a starting address of another data image, a validating signature location of other data image, an address location of another data image, and a size location of another data image (Column 5 lines 8 – 18).

Claim 14 is rejected applied as above in rejecting Claim 6. Furthermore, Chaiken teaches and describes a system for generating a ROM image comprising at least one data image build (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line 46), wherein the ROM image builder comprises an address assignment processor configured to loop through each data image to dynamically assign a starting address in the ROM image to those data images that do not have the starting address (Column 5 lines 8 – 35 and Column 6 lines 19 – 37).

Claim 15 is rejected applied as above in rejecting Claim 6. Furthermore, Chaiken teaches and describes a system for generating a ROM image comprising at least one data image build (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line 46), wherein the address assignment processor is configured to iteratively check memory locations for an available starting address, to reassign a first memory location originally assigned to a first data image, to reassign the first memory location to a second data

image, and to reassign the first data image to a second memory location (Column 5 lines 8 – 35 and Column 6 lines 19 – 37).

Claim 16 is rejected applied as above in rejecting Claim 6. Furthermore, Chaiken teaches and describes a system for generating a ROM image comprising at least one data image build (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line 46), wherein the ROM image builder comprises a data image writer configured to loop through each byte in the ROM image and, if a location of the byte in the ROM image being processed is the same as a parameter location of a selected data image, to write the parameter location to the byte in the ROM image being processed (Column 5 lines 8 – 35 and Column 6 lines 19 – 37).

Claims 21 is rejected applied as above in rejecting Claim 18. Furthermore, Chaiken teaches and describes a system for generating a ROM image comprising at least one data image build (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line 46), further comprising a programming system configured to transfer the ROM image to at least one member of a group consisting of a ROM, a PROM, an EPROM, and an EEPROM (Column 4 line 10 – 28).

Claims 17 is rejected applied as above in rejecting Claim 16. Furthermore, Chaiken teaches and describes a system for generating a ROM image comprising at least one data image build (Fig. 1 – 3; Summary and Column 3 line 12 – Column 6 line

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46), wherein the parameter location comprises at least one member of a group consisting of a validating signature location, a size location, a storage location at which a data image starting location is stored, and a starting location (Column 5 lines 8 – 35 and Column 6 lines 19 – 37).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO Form 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 571-272-3866. The examiner can normally be reached on 8:00a.m. To 5:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-232-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pramila Parthasarathy

January 19, 2005.

*PSL*  
*AU 2135*